

Jun-2-1981

FILE: MINUTES

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, JUNE 2, 1981  
AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING: The meeting was called to order by Deputy Mayor Mitchell at 8:42 a.m. Students from San Dieguito High School accompanied by their teacher, Nancy Giberson, were introduced and welcomed by Deputy Mayor Mitchell. Deputy Mayor Mitchell and Councilmember Murphy introduced and welcomed 30 students from Dailard Elementary School accompanied by their teacher, Carol Cross. Deputy Mayor Mitchell and Councilmember Cleator introduced and welcomed 40 students from Point Loma High School accompanied by their teachers, Nicholas Hyde and Greta Schwarz. The meeting was recessed by Deputy Mayor Mitchell at 9:58 a.m.

The meeting was reconvened by Deputy Mayor Mitchell at 10:20 a.m. with Councilmembers Gotch, Murphy and Mayor Wilson not present. The meeting was recessed by Deputy Mayor Mitchell at 12:07 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Mitchell at 2:15 p.m. with Councilmember Williams and Mayor Wilson not present. Deputy Mayor Mitchell introduced Councillors Derek MacLennan, Eric Kean, and Derek Williams from Edinburgh, Scotland. The meeting was recessed by Deputy Mayor Mitchell at 3:41 p.m. into Closed Session on pending litigation in the twelfth floor conference room and to reconvene at 2:00 p.m., Wednesday, June 3, 1981.

The meeting was reconvened by Mayor Wilson on Wednesday, June 3, 1981, at 2:13 p.m. with all members present. Mayor Wilson adjourned the meeting at 2:39 p.m. into Closed Session regarding pending litigation in the twelfth floor conference room.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-present.

(1) Councilmember Mitchell-present.

(2) Councilmember Cleator-present.

(3) Councilmember Golding-present.

(4) Councilmember Williams-present.

(5) Councilmember Schnaubelt-present.

(6) Councilmember Gotch-present.

(7) Councilmember Murphy-present.

(8) Councilmember Killea-present.

Clerk-Abdelnour (jb/eb/mp)

Jun-2-1981 ITEM-1:

FILE: MINUTES

DESCRIPTION:

Clerk Mutascio called the roll:

Mayor Wilson-not present.

Councilmember Mitchell-present.

Councilmember Cleator-present.

Councilmember Golding-present.

Councilmember Williams-not present.

Councilmember Schnaubelt-not present.

Councilmember Gotch-present.

Councilmember Murphy-present.

Councilmember Killea-not present.

Jun-2-1981 \* ITEM-102:

DESCRIPTION: Four Resolutions relative to AWARDING CONTRACTS:

Subitem-A: (R-81-2017)

Sunbelt Dist. Co. for furnishing FILTERS AND FILTER ELEMENTS as may be required for a period of one year ending May 31, 1982, for an estimated cost, including tax and terms of \$21,381.91, with an option to renew the contract for an additional one year period. BID-3967

Subitem-B: (R-81-2022)

Aldo Corp. for furnishing PARTS REBUILDING SERVICE FOR WORTHINGTON PUMPS as may be required for a period of one year ending June 30, 1982, for an estimated cost, plus applicable sales tax, of \$20,096.01. BID-3952

Subitem-C: (R-81-2064)

Moore Business Forms for the purchase of PRINTED UTILITY BILL for an actual cost, including tax and terms, of \$19,604.70. BID-3947

Subitem-D: (R-81-2021)

Steger Sons Maint. Co. for furnishing JANITORIAL SERVICES AT SIX COMFORT STATIONS as may be required for a period of one year ending May 31, 1982, for an estimated cost of \$11,975.00, with an option to renew contract for two additional one year periods at prices not to exceed 7% of prices in effect at the end of the initial year. BID-3907

FILE: MEET

COUNCIL ACTION:

(Tape location: E107-226)

Subitems-A, B, and C were adopted on June 1, 1981.

Subitem-D adopted as Resolution R-254345.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jun-2-1981 ITEM-200:

DESCRIPTION: (R-81-1731) (Continued from the Meeting of May 18, 1981; last continued at the City Attorney's request.) VACATING SMITH STREET between CONGRESS STREET and INTERSTATE 5/AT&SF RAILROAD RIGHTS-OF-WAY on Resolution of

Intention No. R-254033. (A parcel map is involved. Old Town Community Area. DISTRICT-2.)

FILE: STRT J-2372, DEED F-909

COUNCIL ACTION:

(Tape location: E226-470).

Adopted as Resolution R-254346.

MOTION BY CLEATOR TO ADOPT. Second by Schnaubelt. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-not present.

Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jun-2-1981 ITEM-310:

DESCRIPTION: (R-81-2122) Authorizing SUGGESTION AWARDS and making a PRESENTATION to the following employees: John L. Brewer - Fire Department - \$1,925. Donald W. Pio - Park and Recreation Department - \$1,830. Henry C. Stoker - Police Department - \$820. Daniel Karsh and Larry L. Griffin - Police Department - \$695.

FILE: MEET

COUNCIL ACTION:

(Tape location: A028-104).

Adopted as Resolution R-254336.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-not

present. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jun-2-1981 ITEM-311:

DESCRIPTION: Seven Resolutions relative to authorizing SUGGESTION AWARDS to the following employees:

Subitem-A: (R-81-2123)

Roger Keily - Fire Department - \$280. Nicki L. Brown-Vesco - Personnel

Department - \$275. Robert C. Nightingale - Planning Department - \$260. Alfred

Szymansky - General Services Department - \$230. Herbert G. Paro - General Services Department - \$220.

Subitem-B: (R-81-2124)

Edna Gonzales - Police Department - \$165. Betty A. Goldberg - City Clerk - \$150. Debra J. Wake - Police Department - \$140. Ruth T. Nelson and Yolanda S. Guaderrama - Personnel Department - \$125. David R. Jacks - General Services Department - \$125.

Subitem-C: (R-81-2125)

Rita B. Andrews - City Clerk - \$110. Glen F. Jarvis - Water Utilities Department - \$100. John F. Casey - Building Inspection Department - \$85. Alfred Szymansky - General Services Department - \$80. Larry W. Redden - Fire Department - \$70.

Subitem-D: (R-81-2126)

Daniel Mata - Park and Recreation Department - \$65. Sammy A. Jeromin - Fire Department - \$50. John A. Wright - General Services Department - \$50. Arthur L. Monett - Water Utilities Department - \$50. Mona S. Vallon - General Services Department - \$50.

Subitem-E: (R-81-2127)

Rita B. Andrews - City Clerk - \$30. Kenneth L. Leininger - Fire Department - \$25. Paul J. Bednarzyk - General Services Department - \$25. Delorese J. Shafer - Risk Management - \$25. Sylvia L. Johnson - Financial Management Department - \$25.

Subitem-F: (R-81-2128)

Mary F. Labiak - Park and Recreation Department - \$20. Jeffrey L. Frankhouser - General Services Department - \$20. David P. Lee - Fire Department - \$20. Clarence Haseyama - City Auditor - \$20. Patricia L. Page - Water Utilities Department - \$20.

Subitem-G: (R-81-2129)

Auery B. Cawthorn - Financial Management Department - \$10.

FILE: MEET

COUNCIL ACTION:

(Tape location: A105-118)

Subitem-A adopted as Resolution R-254337.

Subitem-B adopted as Resolution R-254338.

Subitem-C adopted as Resolution R-254339.

Subitem-D adopted as Resolution R-254340.

Subitem-E adopted as Resolution R-254341.

Subitem-F adopted as Resolution R-254342.

Subitem-G adopted as Resolution R-254343.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jun-2-1981 ITEM-330:

DESCRIPTION: Matter of REZONING LOT 6, COLLEGIATE PARK UNIT NO. 2, MAP-5419

(approximately 3.22 acres), located on the north side of Miramar Street between Genesee Avenue and I-805, in the University City Community Plan area, from ZONE R-1-5 to ZONE CO. (Case-5-80-021. DISTRICT-1.)

Subitem-A: (R-81-2084)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-80-04-36 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-81-236)

INTRODUCTION of an ORDINANCE for CO Zoning.

Subitem-C: (R-81- )

Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-80-04-36.

FILE: ZONE 6/2/81

COUNCIL ACTION:

(Tape location: E477-523)

Subitem-A adopted as Resolution R-254347.

Subitem-B introduced, to be adopted June 15, 1981.

Subitem-C adopted as Resolution R-254348.

Hearing began 2:47 p.m. and halted 2:50 p.m.

MOTION BY SCHNAUBELT TO CLOSE THE HEARING, ADOPT SUBITEMS-A AND C, AND

INTRODUCE SUBITEM-B. Second by Cleator. Passed by the following vote:  
Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea.  
Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jun-2-1981 ITEM-331:

DESCRIPTION: Matter of REZONING a portion of the NORTHEAST 1/4 of the  
SOUTHWEST 1/4 and a portion of the SOUTHEAST 1/4 of SECTION 36, TOWNSHIP 18  
SOUTH, RANGE 2 WEST, S.B.B.M. (approximately 6.04 acres), located on the north  
side of Beyer Boulevard between I-805 and Otay Mesa Boulevard, in the San  
Ysidro Community Plan area, from ZONE R-1-5 to ZONE R-2. (Case-5-80-107.  
DISTRICT-8.)

Subitem-A: (R-81-2083)

Adoption of a RESOLUTION certifying that the information contained in  
ENVIRONMENTAL NEGATIVE DECLARATION END-80-11-30 has been completed in  
compliance with the California Environmental Quality Act of 1970 and State  
guidelines, and that said declaration has been reviewed and considered by the  
Council.

Subitem-B: (O-81-235)

INTRODUCTION of an ORDINANCE for R-2 Zoning.

FILE: ZONE 6/2/81

COUNCIL ACTION:

(Tape location: E527-581)

Subitem-A adopted as Resolution R-254349.

Subitem-B introduced, to be adopted June 15, 1981.

Hearing began 2:50 p.m. and halted 2:52 p.m.

MOTION BY KILLEA TO CLOSE THE HEARING, ADOPT SUBITEM-A AND  
INTRODUCE

SUBITEM-B. Second by Gotch. Passed by the following vote: Mitchell-yea.

Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea.

Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jun-2-1981 ITEM-332:

DESCRIPTION: Matter of REZONING a portion of PUEBLO LOT 1174, MISCELLANEOUS  
MAP-36, and LOT 1, MISSION VALLEY BALL PARK, MAP-3755 (approximately 7.91  
acres), located on the north side of Friars Road between Ulric Street and Via  
Las Cumbres, in the Kearny Vista Community Plan area, from ZONES R-1-5 and  
R-1-40 (portions HR), to ZONE CO. (Case-5-80-108. DISTRICT 5.)

Subitem-A: (R-81-2082)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-80-12-14 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-81-234)  
INTRODUCTION of an ORDINANCE for CO Zoning.  
FILE: ZONE 6/2/81  
COUNCIL ACTION:  
(Tape location: E582-668)

Subitem-A adopted as Resolution R-254350.

Subitem-B introduced, to be adopted June 15, 1981.  
Hearing began 2:52 p.m. and halted 2:56 p.m.  
MOTION BY SCHNAUBELT TO CLOSE THE HEARING, ADOPT SUBITEM-A AND INTRODUCE  
SUBITEM-B. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jun-2-1981 ITEM-333:

DESCRIPTION:  
(Continued from the Meetings of December 15, 1980, February 3 and 17, April 14 and May 5, 1981; last continued at Councilmember Cleator's request.) Four Resolutions relative to improving GOLDFINCH STREET between its southerly termination and Spruce Street: (1911 Street Improvement Act.) (Middletown Community area. DISTRICT-8.)

Subitem-A: (R-81-672)  
CERTIFYING that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-79-02-35 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines and that said report has been reviewed and considered by the Council.

Subitem-B: (R-81-673)  
Adoption of a Resolution ORDERING the WORK and directing NOTICE INVITING BIDS.

Subitem-C: (R-81- )  
Adoption of an 8\_vote RESOLUTION OF FEASIBILITY.

Subitem-D: (R-81-1072)

Adopting those findings made with respect to ENVIRONMENTAL IMPACT REPORT EIR-79-02-35 as its findings, pursuant to California Public Resources Code Section 21081.

FILE: STRT D-2226

COUNCIL ACTION:

(Tape location: B460-470a?)

Continued to June 30, 1981, at 10:00 a.m., Time Certain.

Hearing began at 10:20 a.m. and halted at 10:22 a.m.

MOTION BY KILLEA TO CONTINUE TO JUNE 30, 1981, AT 10:00 A.M., TIME CERTAIN.

Second by Murphy. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-not present. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jun-2-1981 ITEM-334:

DESCRIPTION: Matter of REZONING a portion of LOT 1, JUEGOS DE JUAN RACQUET CLUB, MAP-8393, (approximately 1.10 acres), located on the west side of Waring Road between I-8 and Adobe Falls Road, in the Navajo Community Plan area, from ZONE R-1-40 (portions HR) to ZONE CO. (Case-5-81-007. DISTRICT-7.)

Subitem-A: (R-81-2081)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-01-10 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-81-233)

INTRODUCTION of an ORDINANCE for CO Zoning.

FILE: ZONE 6/2/81

COUNCIL ACTION:

(Tape location: F010-060)

Subitem-A adopted as Resolution R-254351.

Subitem-B introduced, to be adopted June 15, 1981.

Hearing began 2:57 p.m. and halted 3:01 p.m.

MOTION BY MURPHY TO CLOSE THE HEARING, ADOPT SUBITEM-A AND INTRODUCE

SUBITEM-B. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jun-2-1981 ITEM-335:



DESCRIPTION: (O-81-219 Rev.) Proposal to amend CHAPTER X, ARTICLES 1 and 3 of the San Diego Municipal Code by AMENDING SECTIONS 101.0454-F, 101.0900-G, 101.0910-K, 101.0920-K, 101.1002-D, 103.0302.5 and 103.0606-D relating to APPEALS FROM THE DECISION OF THE PLANNING COMMISSION and amending CHAPTER II, ARTICLE 2 of the San Diego Municipal Code by AMENDING SECTION 22.0101, RULE 4 of the PERMANENT RULES OF THE CITY COUNCIL RELATING TO SPECIAL ORDER OF BUSINESS. The amendment to the procedure for appealing Planning Commission decisions is to allow requests for appeals to be automatically placed on the City Council docket rather than requiring action by individual Councilmembers and to change the appeal filing date from 15 days to 7 days. The amendment to Rule 4 is to preclude the use of the appeal procedure for quasi-judicial matter when the standing committee involved has voted 5-0.

COMMITTEE ACTION:

Reviewed by Rules on 3/16/81. Recommendation to ADOPT the Ordinance as amended. Districts 1, 2, 4 and Mayor voted yea. District 8 not present. Today's action is INTRODUCTION of an ORDINANCE amending the San Diego Municipal Code.

FILE: MEET

COUNCIL ACTION:

(Tape location: F061-655).

Introduced as amended, to be adopted June 15, 1981.

Hearing began 3:01 p.m. and halted 3:38 p.m.

MOTION BY GOTCH TO AMEND TO PROVIDE A 10-DAY APPEAL PERIOD FOR RULE 4, AND

INTRODUCE AS AMENDED. Second by Golding. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-Mayor.

Jun-2-1981 ITEM-S500:

DESCRIPTION: REZONING the following properties in the South Bay Terraces Development and Southeast San Diego Community Plan areas from ZONE CA to ZONE CA-RR: 1) PARCEL B, LOT 1, ENCANTO PLAZA, MAP-4793; 2) LOT 1, HIGHLAND PARK SHOPPING VILLAGE RESUBDIVISION 2, MAP-5643; 3) LOTS 806, 807 and 808, BAY TERRACES UNIT 8, MAP-6971; and 4) LOT 487 and 490, BAY TERRACES UNIT 1, MAP-6659. (Case-5-81-010. DISTRICT-4.)

Subitem-A: (O-81-243)

INTRODUCTION of an ORDINANCE for CA-RR Zoning for Parcel B, Lot 1, Encanto Plaza, Map-4793.

Subitem-B: (O-81-245)

INTRODUCTION of an ORDINANCE for CA-RR Zoning for Lots 806, 807 and 808, Bay Terraces Unit 8, Map-6971.

Subitem-C: (O-81-246)

INTRODUCTION of an ORDINANCE for CA-RR Zoning for Lot 490, Bay Terraces Unit 1, Map-6659.

FILE: ZONE 6/2/81

COUNCIL ACTION:

(Tape location: A119- B364)

Introduced to be adopted June 15, 1981.

Hearing began at 8:50 a.m. and halted at 9:17 a.m.

Hearing resumed at 9:20 a.m. and halted at 9:51 a.m.

Councilmember Schnaubelt entered at 9:02 a.m.

Testimony in opposition by James A. Christensen and Charles Ball.

MOTION BY WILLIAMS TO INTRODUCE SUBITEMS-A AND C. Second by Killea. Passed by

the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

MOTION BY WILLIAMS TO INTRODUCE SUBITEM-B. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-nay. Golding-yea. Williams-yea.

Schnaubelt-nay. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jun-2-1981 ITEM-UC-2:

DESCRIPTION:

(R-81-2287) A Resolution presented to the City Council with UNANIMOUS CONSENT: The matter of adopting Resolution R-81-2287, authorizing negotiated sale to SCRIPPS 244, all that portion of the Southwest Quarter of Section 29, Township 14 South, Range 2 West, San Bernardino Meridian, located at Erma Road along Interstate 15 north of Mira Mesa Blvd. and comprising approximately 3.071 acres.

FILE: (MEET)

COUNCIL ACTION: (Tape location: B500-524).

Adopted as Resolution R-254344.

MOTION BY SCHNAUBELT TO ADOPT. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-not present. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jun-2-1981 ITEM-UC-3:

**DESCRIPTION:**

(R-81-0000) A Resolution presented to the City Council with UNANIMOUS CONSENT: Excusing Councilmember Mike Gotch from the June 3, 1981, Council meeting and Budget Hearing Committee for the purpose of attending to official City business in Fresno at the annual CALAFCO workshop.

FILE: (MEET)

COUNCIL ACTION: (Tape location: F655-667).

Adopted as Resolution R-254352.

MOTION BY GOLDING TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Jun-2-1981 ITEM-CS-1:

**DESCRIPTION:**

(R-81-2292) A Resolution adopted by the City Council in Closed Session on June 2, 1981:

Authorizing the City Manager to pay the total sum of \$9,739.51 in settlement of each and every claim against the City, its agents and employees, resulting from the Property Damage to Andres Calderon; authorizing the City Auditor and Comptroller to issue ONE CHECK in the amount of \$9,739.51 to LUTH AND TURLEY, INC. for work done at the property of Andres Calderon.

FILE: (MEET) CITY\_

COUNCIL ACTION: Adopted as Resolution R-254353.

Jun-2-1981 ITEM-CS-2:

**DESCRIPTION:**

(R-81-2293) A Resolution adopted by the City Council in Closed Session on June 2, 1981:

Authorizing the City Manager to pay the total sum of \$10,000 in settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Anita R. Schiller; authorizing the City Auditor and Comptroller to issue ONE CHECK in the amount of \$10,000 to ANITA R. SCHILLER AND HER ATTORNEY STEVEN L. VICTOR in full settlement of all claims; said funds are to be payable from FUND NO. 81140, Public Liability Reserve Fund.

FILE: (MEET) CITY\_

COUNCIL ACTION: Adopted as Resolution R-254354.

Jun-2-1981 ITEM-CS-3:

**DESCRIPTION:**

(R-81-2248) A Resolution adopted by the City Council in Closed Session on June 2, 1981:

Authorizing the City Manager to pay the total sum of \$25,000 in settlement of  
SUPERIOR COURT CASE NO. 419902, BRAUCHLA CONSTRUCTION COMPANY v. THE  
CITY OF

SAN DIEGO and NOBLE DEVELOPMENT COMPANY, ET AL, and of each and every claim  
against the City, its agents and employees, resulting from the alleged  
property damage claim of Brauchla Construction Co; authorizing the City  
Auditor and Comptroller to issue ONE CHECK in the amount of \$25,000 to  
Brauchla Construction Company in full settlement of all claims.

FILE: (MEET) CITY\_

COUNCIL ACTION: Adopted as Resolution R-254355.

Jun-2-1981 ITEM-CS-4:

DESCRIPTION:

(R-81-2217) A Resolution adopted by the City Council in Closed Session on June  
2, 1981:

Authorizing the City Manager to pay the total sum of \$8,500 in settlement of  
each and every claim against the City, its agents and employees (Superior  
Court Case No. 424758, PATTON v. CITY, ET AL.) resulting from the personal  
injury incurred by Mr. Patton; authorizing the Auditor and Comptroller to  
issue ONE CHECK in the amount of \$8,500 to OTHA PATTON and HIS ATTORNEY  
ANTHONY J. BATTAGLIA in full settlement of all claims.

FILE: (MEET) CITY\_

COUNCIL ACTION: Adopted as Resolution R-254356.

Jun-2-1981 ADJOURNMENT:

FILE: MINUTES

DESCRIPTION:

By common consent, Mayor Wilson adjourned the meeting into Closed Session  
regarding pending litigation.

Jun-2-1981 ITEM-S501:

DESCRIPTION: Six Resolutions relative to the IMPROVEMENT OF ROWENA STREET  
STABILIZATION ASSESSMENT DISTRICT under the Improvement Act of 1913,  
Resolution of Intention No. R-254083: (San Carlos Community Area.  
DISTRICT-

7.)

Subitem-A: (R-81- )

Adoption of a RESOLUTION CONFIRMING the ASSESSMENT DISTRICT.

Subitem-B: (R-81- )

Adoption of an 8-vote RESOLUTION of FEASIBILITY.

Subitem-C: (R-81-1905)

Adoption of a RESOLUTION authorizing the amount of \$98,000 as the City's contribution for improvements for land stabilization purposes in the above Assessment District.

Subitem-D: (R-81-2263)

Adoption of a RESOLUTION AWARDING IMPROVEMENT BONDS.

Subitem-E: (R-81-1904)

Adoption of a RESOLUTION authorizing the EXPENDITURE of \$8,325 from FY 1981 Capital Outlay Fund 30244, CIP-58-002, Annual Allocation - Assessment Districts, for payment of assessment for City-owned property in connection with the above Assessment District pursuant to the San Diego Improvement District Procedural Ordinance and the Municipal Improvement Act of 1913.

Subitem-F: (R-81-2329)

Adoption of a RESOLUTION finding and determining that public convenience and necessity require certain improvements.

FILE: Strt D-2232

COUNCIL ACTION:

(Tape location: B525-E118;G003-400)

Subitem-A adopted as Resolution R-254357 on Wednesday, June 3, 1981.

Subitem-B adopted as Resolution R-254358 on Wednesday, June 3, 1981.

Subitem-C adopted as Resolution R-254359 on Wednesday, June 3, 1981.

Subitem-D adopted as Resolution R-254360 on Wednesday, June 3, 1981.

Subitem-E adopted as Resolution R-254361 on Wednesday, June 3, 1981.

Subitem-F adopted as Resolution R-254362 on Wednesday, June 3, 1981.

Hearing began at 10:23 a.m. and halted at 12:07 p.m. on Tuesday, June 2, 1981.

Testimony in favor by Garth Morse and Lyda Burton.

Testimony in opposition by Raymond L. King, Dale Mills, John Case, Samuel L. Dick, William Fishbeck, Angela Stein and Carlan Mickelson.

Motion by Murphy to continue to June 3, 1981 at 2:00 p.m. No Vote.

By common consent the item was trailed to Wednesday, June 3, 1981, 2:00 p.m.

Hearing on Wednesday, June 3, 1981, began at 2:13 p.m. and halted at 2:39 p.m.

Testimony in favor by Bob Burks and Garth Morse.

Testimony in opposition by Carol Dyer, Carlin Mickelson, Lucille Cutlar, A. L. Littlefield, and William Fishbeck.

MOTION BY MURPHY TO CLOSE THE HEARING AND ADOPT SUBITEMS A THROUGH F. Second

by Williams. Vote on motion trailed to Wednesday, June 3, 1981. Passed by the following vote on Wednesday, June 3, 1981: Mitchell-nay. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-yea.